

REMARKS

Claims 1 and 10 have been amended. Claim 5 has been cancelled without prejudice or disclaimer. Claims 1-4, 6, 7, 10 and 11 are pending and under consideration. Claims 1 and 10 are the independent claims. No new matter is presented in this Amendment.

DOUBLE PATENTING:

Claims 1-3, 10 and 11 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of co-pending Application No. 10/735,850.

Applicants respectfully traverse this rejection for at least the following reason. Independent claim 1 recites, amongst other novel features, an information storage medium comprising a playlist information which comprises at least one playitem that corresponds to the clip AV streams, whereas claims 1 and 2 of co-pending Application No. 10/735,850 recite a method of reproducing motion picture data for different angles corresponding to a motion picture from an information storage medium. Accordingly, Applicants respectfully assert that claims 1-3, 10 and 11 recite different features than those of the co-pending Application and respectfully request that the rejection of claims 1-3, 10 and 11 on the ground of non-statutory obviousness-type double patenting be withdrawn.

Claims 4-7 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of co-pending Application No. 10/735,850 in view of Nakai et al. (U.S. Patent No. 5,999,698).

Initially, it is noted that claims 4-7 depend from independent claim 1, and as noted above, claim 1 is distinguishable over co-pending Application No. 10/735,850 in that claim 1 recites different features than those of co-pending Application No. 10/735,850. Furthermore, Nakai also fails to teach the novel features of the independent claim. Accordingly, Applicants respectfully request that the rejection of claims 4-7 on the ground of non-statutory obviousness-type double patenting be withdrawn.

Claims 1-3 and 10-11 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of co-pending

Application No. 10/735,823.

Applicants respectfully traverse this rejection for at least the following reason. Independent claim 1 recites, amongst other novel features, an information storage medium comprising a playlist information which includes at least one playitem that corresponds to the clip AV streams, whereas claims 1 and 2 of co-pending Application No. 10/735,823 recite an apparatus for reproducing motion picture data for different angles corresponding to a motion picture from an information storage medium. Accordingly, Applicants respectfully assert that claims 1-3, 10 and 11 recite different features than those of co-pending Application No. 10/735,823 and respectfully request that the rejection of claims 1-3, 10 and 11 on the ground of non-statutory obviousness-type double patenting be withdrawn.

Claims 4-7 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of co-pending Application No. 10/735,823 in view of Nakai et al. (U.S. Patent No. 5,999,698).

Initially, it is noted that claims 4-7 depend from independent claim 1, and as noted above, claim 1 is distinguishable over claims 1 and 2 of co-pending Application No. 10/735,823 in that claim 1 recites different features than those of the co-pending Application. Furthermore, Nakai also fails to teach or suggest the novel features of the independent claim. Accordingly, Applicants respectfully request that the rejection of claims 4-7 on the ground of non-statutory obviousness-type double patenting be withdrawn.

REJECTIONS UNDER 35 U.S.C. §101

Claims 1-7 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter.

Applicants note that the specification, at paragraph [0064], has been amended to delete the term carrier wave. Applicants also note that independent claim 1 has also been amended to recite in better form the functional interrelationship between the apparatus and the information storage medium and thus, Applicants believe that the specification and the claims fully comply with the requirements of 35 U.S.C. §101.

Accordingly, it is respectfully submitted that claims 1-7 are properly considered statutory subject matter within the meaning of 35 U.S.C. §101 and respectfully request that the rejection of claims 1-7 under 35 U.S.C. §101 be withdrawn.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1-2 are rejected under 35 U.S.C. §102(b) as being anticipated by Kikuchi et al. (U.S. Patent No. 5,870,523).

Regarding the rejection of independent claim 1, it is noted that claim 1 recites an information storage medium for use in a recording and/or reproducing apparatus, the information storage medium storing multi-angle motion picture data corresponding to a motion picture, comprising: clip audio-video (AV) streams corresponding to motion picture data for different angles; and clip information corresponding to the clip AV streams wherein each unit of the clip information comprises an entry point map comprising information on entry points of a corresponding one of the clip AV streams for random access by the apparatus, and information on whether each of the entry points is an angle change point through which the motion picture is reproduced by the apparatus from one angle to another angle; and playlist information which comprises at least one playitem that corresponds to the clip AV streams, wherein the clip information is provided in a separate area from that of the motion picture data.

The Office Action relies on Kikuchi for a teaching of some of the features of independent claim 1, and states that Kikuchi teaches an information storage medium comprising clip AV streams corresponding to the motion picture data and clip information corresponding to the clip AV streams wherein the clip information is provided in a separate area from the motion picture data.

In particular, the Office Action relies on Figs. 6, 25, 26 and 37 and column 5, lines 5-44 of Kikuchi for such teachings, and states that the video information is stored in a different pack from the navigation information, which includes PCI data and DSI data. Therefore, the Examiner states that the clip AV streams and the clip information are stored in separate areas.

Initially, Applicants respectfully note that the Examiner has not clearly indicated what feature of Kikuchi constitutes the clip information and what feature of Kikuchi constitutes the clip AV stream. However, it appears the Examiner relies on the video information or video pack 87 for a teaching of the clip AV stream and relies on the PCI and DSI data located in the navigation pack 86 for a teaching of the clip information. Applicants respectfully traverse such assertion for at least the following reason.

Kikuchi discloses a super density optical disk for storing video data, wherein the video data is compressed into packs, and trains of the packs are stored in a video object unit. The

video object unit, which is part of the video object set, includes a navigation pack 86 (containing navigation information) and various other types of packs, such as video packs (containing video information), audio packs (containing audio information) and sub-picture packs (Fig. 6, item 86 and column 10, lines 66-67 through column 11, lines 1-9). Kikuchi further discloses that the navigation pack includes PCI data and DSI data (Fig. 25 and column 18, lines 5-37). Finally, Kikuchi teaches that the PCI data includes angle information (Fig. 27).

Accordingly, although Kikuchi teaches navigation, video, sub-picture and audio packs, stored in the storage medium, Applicants respectfully note that all of these packs are part of a video object unit, which is part of a clip AV stream (see Fig. 6 of Kikuchi and Fig. 8 of the present application). In other words, the video information or video pack and the PCI and DSI data relied by the Examiner for a teaching of a clip AV stream and clip information, respectively, are all part of the same clip AV stream.

Contrary to Kikuchi, independent claim 1 recites clip AV streams corresponding to motion picture data, and clip information provided in a separate area from that of the motion picture data. In other words, the clip information is provided in a separate area from that of the interleaved clip AV streams. As noted in Fig. 6 of Kikuchi, the reference appears to correspond to Fig. 8 of the present application which only describes the related art of the present invention and not the aspects of the invention themselves. In Fig. 6 of Kikuchi, both navigation pack and AV pack are included in a VOB (Video Object). Furthermore, the motion picture data for each angle consists of a plurality of VOBs, VOB corresponding to a cell which is the smallest recording/reproducing unit, thus even if VOBs are interleaved with respect to each other, the Navigation pack and the AV pack taught by Kikuchi are still included in a same VOB. Thus, Kikuchi does not disclose the features recited in independent claim 1, wherein the clip information is provided in a separate area from that of the motion picture data. Accordingly, Applicants respectfully assert that Kikuchi fails to teach or suggest, at least, this novel feature of independent claim 1.

The Office Action also states that the clip information comprises an entry point map comprising information on entry points of a corresponding one of the clip AV streams for random access, and information on whether each of the entry points is an angle change point, and cites Fig. 37, step S23, Fig. 40, step S43 and column 27, lines 5-44 of Kikuchi for such teachings.

However, Applicants respectfully assert that Kikuchi neither teaches nor suggests such novel features for, at least, the following reasons.

As noted in Fig. 37A, step S23, Kikuchi simply teaches determining whether an angle

change point is present, Kikuchi does not teach nor does it make any reference of whether each of the entry points is an angle change point, as recited in the independent claim. In other words, in the reference each entry point is an angle change point and no determination is made. Furthermore, Fig. 40, step S43 simply teaches the next cell address, not whether each of the entry points is an angle change point, as recited in the independent claim. Accordingly, Applicants respectfully assert that Kikuchi also fails to teach or suggest this other novel feature of independent claim 1.

Finally, Applicants respectfully assert that Kikuchi also fails to teach or suggest that the medium comprises playlist information comprising at least one playitem that corresponds to the clip AV streams.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 3-7, 10, and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kikuchi et al. (U.S. Patent No. 5,870,523) in view of Nakai et al. (U.S. Patent No. 5,999,698).

Regarding the rejection of claims 3-7, Applicants note that these claims depend from independent claim 1, and as noted above, Kikuchi fails to teach or suggest the novel features of independent claim 1.

Nakai, on the other hand, is relied for a teaching of features other than that of the clip information provided in a separate area from that of the motion picture data. Accordingly, Applicants respectfully assert that Nakai fails to cure the deficiencies of Kikuchi.

Accordingly, Applicants respectfully assert that dependent claims 3-7 are allowable at least because of their dependency from claim 1. Therefore, it is respectfully submitted that claims 3-7 also distinguish over the prior art.

Regarding the rejection of independent claim 10, it is noted that claim 10 recites some substantially similar features as claim 1. Thus, the rejection of this claim is also traversed for substantially the same reasons set forth above.

Regarding the rejection of claim 11, it is noted that this claim depends from independent claim 10 and is thus allowable, at least, because of its dependency from independent claim 10. Therefore, it is respectfully submitted that claim 11 also distinguishes over the prior art.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 2/17/09

By: Douglas X. Rodríguez
Douglas X. Rodríguez
Registration No. 47,269

1400 Eye St., NW
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510